

IN THE CLAIMS

1. (currently amended) A method of doing business comprising:
transferring patented ~~the transfer of~~ goods owned by a licensor from said licensor to a licensee wherein the goods are claimed in one or more enforceable patents owned by licensor and
transferring ~~wherein~~ rights in the goods ~~are transferred~~ by means of a license having terms ~~said rights in the goods comprising intellectual property rights~~ wherein ~~the terms~~ at least one term of the license ~~reserve some or all of the~~ ~~intellectual property rights in the goods to the licensor and wherein the licensee is prohibited~~ prohibits licensee from using the goods to develop any new intellectual property by the terms of the license.
2. (canceled)
3. (previously presented) The method of claim 1 wherein the license is assigned by the licensee to a first assignee.
4. (previously presented) The method of claim 3 wherein the license is further assigned by the first assignee to a second assignee.
5. (previously presented) The method of claim 4 wherein the license is further assigned by the first assignee to a second assignee.
6. (original) The method of claim 5 wherein the goods are claimed in one patent.
7. (previously presented) The method of claim 6 wherein the license is assigned by the licensee to a first assignee.

8. (previously presented) The method of claim 7 wherein the license is further assigned by the first assignee to a second assignee.
9. (previously presented) The method of claim 1 wherein the goods are claimed in one patent.
10. (previously presented) The method of claim 9 wherein the license is assigned by the licensee to a first assignee.
11. (previously presented) The method of claim 10 wherein the license is further assigned by the first assignee to a second assignee.
12. (previously presented) The method of claim 1 wherein the term of the instrument expires prior to or concurrently with the term of the patents.
13. (previously presented) A method of doing business comprising:
transferring patented ~~the transfer of~~ goods owned by a transferor from said transferor to a transferee wherein the goods are claimed in one or more enforceable patents owned by transferor and transferring ~~wherein~~ rights in the goods ~~are transferred~~ one or more times by means of an instrument selected from the group consisting of contracts, leases ~~or~~ and licenses, each said instrument having terms ~~said rights in the goods~~ comprising intellectual property rights ~~wherein the terms of the instrument and all subsequent instruments transferring said goods reserve some or all of the intellectual property rights in the goods to the transferor and wherein at least one term of each instrument prohibits~~ the transferee is prohibited from using the goods to develop any new intellectual property ~~by the terms of the instrument~~.

14. (previously presented) The method of claim 13 wherein the goods are the subject of one or more claims of one patent.
15. (original) The method of claim 14 wherein the instrument is a license.
16. (previously presented) The method of claim 15 wherein the license is assigned.
17. (original) The method of claim 14 wherein the instrument is a contract.
18. (previously presented) The method of claim 17 wherein the contract is assigned.
19. (original) The method of claim 14 wherein the instrument is a lease.
20. (previously presented) The method of claim 19 wherein the lease is assigned.
21. (previously presented) The method of claim 16 wherein the license is further assigned.
22. (previously presented) The method of claim 18 wherein the contract is further assigned.
23. (previously presented) The method of claim 20 wherein the lease is further assigned.
24. (original) The method of claim 14 wherein the term of the instrument expires prior to or concurrently with the term of the patents.
25. (currently amended) A method of doing business comprising:

transferring patented ~~the transfer of~~ goods owned by a transferor from said transferor to a transferee wherein the goods are claimed in one or more enforceable patents owned by transferor and transferring ~~wherein~~ rights in the goods are ~~transferred~~ one or more times by means of an instrument selected from the group consisting of contracts, leases ~~or~~ and licenses said instrument having terms ~~said rights in the goods comprising intellectual property rights~~ wherein at least one term of each ~~the terms of the instrument and all intervening instruments reserve some or all of the intellectual property rights in the goods to the transferor and wherein the~~ prohibits transferee ~~or sub-transferee is prohibited~~ from using the goods to develop any new intellectual property ~~by the terms of the instrument~~ wherein the last one transfer is a transfer of goods at retail.

26. (currently amended) A method of doing business comprising:
transferring patented ~~the transfer of~~ goods owned by a licensor from said licensor to a licensee wherein the goods are claimed in one or more enforceable patents owned by licensor and transferring ~~wherein by the terms of the license~~ rights in the goods are ~~transferred~~ by means of a license having terms ~~said rights in the goods comprising intellectual property rights~~ wherein ~~the terms of the license reserves some or all of the intellectual property rights in the goods to the licensor and~~ at least one term of the license ~~the~~ prohibits licensee ~~is prohibited~~ from using the goods to develop any new intellectual property ~~by the terms of the license~~ wherein said license further comprises an additional term providing a remedy for breach of the at least one term prohibiting use of the goods to develop new intellectual property by providing a unilateral contract formation provision wherein in consideration of using the goods by licensee to develop new intellectual property said use shall be an acceptance by performance by lessee

licensee of a contract for joint development of said new intellectual property wherein an undivided interest in said new intellectual property is assigned to licensor.

27. (currently amended) A method of doing business comprising:
transferring patented ~~the transfer of~~ goods owned by a transferor from said transferor to a transferee wherein the goods are claimed in one or more enforceable patents owned by transferor and transferring ~~wherein rights in the goods are transferred~~ one or more times by means of an instrument selected from the group consisting of contracts, leases ~~or~~ and licenses, said instrument having terms ~~said rights in the goods comprising intellectual property rights wherein by the terms of the instrument and all subsequent instruments transferring said goods reserve some or all of the intellectual property rights in the goods to the transferor and~~ wherein at least one term of each instrument prohibits ~~the transferee is prohibited~~ from using the goods to develop any new intellectual property ~~by the terms of the instrument~~ wherein each said instrument further comprises an additional term providing a remedy for breach of the at least one term prohibiting use of the goods to develop new intellectual property by providing a unilateral contract formation provision wherein in consideration of using the goods by transferee to develop new intellectual property said use shall be an acceptance by performance by transferee of a contract for joint development of said new intellectual property wherein an undivided interest in said new intellectual property is assigned to transferor.
28. (currently amended) A method of doing business comprising:
transferring patented ~~the transfer of~~ goods owned by a transferor from said transferor to a transferee wherein the goods are claimed in one or more enforceable patents owned by transferor and

transferring ~~wherein~~ rights in the goods ~~are transferred~~ one or more times by means of an instrument selected from the group consisting of contracts, leases ~~or~~ and licenses, said instrument having terms ~~said rights in the goods comprising~~ intellectual property rights ~~wherein by the terms of the instrument and all subsequent instruments transferring said goods reserve some or all of the~~ intellectual property rights in the goods ~~to the lessor wherein~~ at least one term of each instrument prohibits ~~the transferee is prohibited~~ from using the goods to develop any new intellectual property ~~by the terms of the lease wherein the last~~ one transfer is a transfer of goods at retail wherein each said instrument further comprises an additional term providing a remedy for breach of the at least one term prohibiting use of the goods to develop new intellectual property by providing a unilateral contract formation provision wherein in consideration of using the goods by transferee to develop new intellectual said use shall be an acceptance by performance by transferee of a contract for joint development of said new intellectual property wherein an undivided interest in said new intellectual property is assigned to ~~lessor~~ transferor.